

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT:

THE HONOURABLE MR. JUSTICE DAMA SESHADRI NAIDU

WEDNESDAY, THE 4TH DAY OF MARCH 2015/13TH PHALGUNA, 1936

WP(C).No. 4953 of 2015 (T)

PETITIONER : -

HANEEFA, AGED 38 YEARS,
S/O. AHAMMED @ BAPPU HAJI,
PATTARKADAVAN HOUSE,
KOTTAPPADI,
DOWNHILL P.O.,
MALAPPURAM- 676 519.

BY ADVS.SRI.K.ABDUL JAWAD
DR.MATHEW KUZHALANADAN
SMT.VINEETHA V.KUMAR

RESPONDENTS: -

1. THE MALAPPURAM MUNICIPALITY,
REPRESENTED BY THE SECRETARY,
MALAPPURAM -676 505.
2. THE SECRETARY,
MALAPPURAM MUNICIPALITY,
MALAPPURAM - 676 505.

BY SRI.ESM.KABEER, SC

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON
04-03-2015, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 4953 of 2015 (T)

APPENDIX

PETITIONER'S EXHIBITS : -

EXHIBIT-P1 : TRUE COPY OF THE ORDER DATED 18/11/2014 ISSUED BY THE 2ND
RESPONDENT ALONG WITH ENGLISH TRANSLATION.

EXHIBIT-P2 : TRUE COPY OF THE POSSESSION CERTIFICATE ISSUED BY THE
VILLAGE OFFICER, PANAKKAD, DATED 26/09/2014 ALONG WITH
ENGLISH TRANSLATION.

RESPONDENTS' EXHIBITS : - NIL.

// TRUE COPY //

P.A. TO JUDGE

DMR/-

DAMA SESHADRI NAIDU, J.

W.P.(c) No. 4953 of 2015

Dated this the 04th day of March, 2015

JUDGMENT

In the light of the ratio laid down in **Praveen v. Land Revenue Commissioner** [2010 (2) KLT 617], the present writ petition is also disposed of on the same lines, applying the ratio laid down by the learned Division Bench in the said decision, thereby quashing Exhibit P1.

Consequently, the second respondent is directed to consider the application of the petitioner for building permission afresh, if necessary, by referring the matter to the District Town Planner, and thereafter pass appropriate orders thereon, as expeditiously as possible, at any rate within a period of six weeks from the date of receipt of a copy of this judgment.

**DAMA SESHADRI NAIDU
JUDGE**

DMR/-